

BORA LASKIN LAW LIBRARY



3 1761 03319 9878

INTRODUCTION TO LAW AND DEVELOPMENT

Professor W.C. Graham

Professor R. McCarney

Storage
K
3823
G73
1989

Materials Compiled by N. Fenna

623
673
1787

LAW LIBRARY

FEB 14 1989

FACULTY OF LAW
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY
UNIVERSITY OF TORONTO

INTRODUCTION TO LAW AND DEVELOPMENT

Professor W.C. Graham

Professor R. McCarney

Materials Compiled by N. Fenna



Digitized by the Internet Archive,
in 2018 with funding from
University of Toronto

TABLE OF CONTENTS

PAGE

I. Law and Development

A)	Introduction - Meaning and Nature of International Law Generally and Law of Development	
i)	Baxter, R.R. "International Law in 'Her Infinite Variety'" in (1980), 29 International and Comparative Law Quarterly 549	1
ii)	Ferguson, C.C. "Redressing Global Injustices: The Role of Law" in (1981), 33 Rutgers Law Review 410	6
iii)	Carlson, J. "Hunger, Agricultural Trade Liberalization, and Soft International Law: Addressing the Legal Dimensions of a Political Problem" in (1984/85), 70 Iowa Law Review 1187 at 1192	11
B)	New International Economic Order	
i)	Akinsanya, A and A. Davies "Third World Quest for a New International Economic Order" in (1984), 33 ICLQ 208	18
ii)	Nanda, V.P. "The Right to Development under International Law" in (1985), 15 California Western International Law Journal 431	23
iii)	Horn, N. "Normative Problems of a NIEO" in (1982), 16 Journal of World Trade Law 338	27
iv)	Bauer, P.T. "Western Guilt and Third World Poverty"	34

II. Multilateral Institutions and Development

A)	The GATT - General	
i)	Whalley, J. and C. Hamilton "Dealing with the North" (Ford Foundation Papers)	41
ii)	Oyejide, T.A. "Nigeria's Trade Structure and some Global Trade Policy Issues" (Ford Foundation Papers)	47
iii)	Ikiara, G.K. "Kenya's Trade Options: Regional versus Global Arrangements" (Ford Foundation Papers)	52
iv)	<u>The Tokyo Round of Multilateral Obligations</u> (Geneva: GATT) pp. 164-81	55
v)	Helleiner, G.K. "The New Industrial Protectionism and the Developing Countries" in (1979), 1 Trade and Development 15	64
B)	The GATT - The Uruguay Round	
i)	Ewing, A.F. "Why Freer Trade in Services is in the Interest of Developing Countries" in (1985), 19 JWTL 147	75

ii)	Kuttner, R. "Guide to the GATT" in <u>The New Republic</u> , 12 July 1986, p. 26.	80
iii)	Schott, J.J. and J. Mazza "Trade in Services and Developing Countries" in (1986), 20 JWTL 253	83
C) UNCTAD		
i)	Ramsay, R. "UNCTAD's Failures: The Rich Get Richer" in (1984), 38 International Organization 387	93
ii)	Weiss, T.G. "UNCTAD: What Next?" in (1985), 19 JWTL 251	99
D) LOME		
i)	Girard, D. "Toward LOME III: Perfecting the European Community's African Partnership" in (1984), 16 Case Western Reserve Journal of International Law 459 at 463	109
ii)	Benedek, W. "The LOME Convention and the International Law of Development: A Concretisation of the NIEO?" in (1982), 26 Journal of African Law 74 at 81	116
E) Commodity Trade Structures		
i)	Parkinson, F. "The UN Integrated Programme for Commodities" in (1981), 34 Current Legal Problems 259	123
ii)	Ravenhill, T. "What is to be done for Third World Commodity Exporters?" in (1984), 38 International Organization 537 at 539	126
iii)	Oyejide, T.A. "Primary Commodities in the International Trading System" (Ford Foundation Papers - Draft)	128

III. International Finance and Development

A) International Structures		
i)	Nurick, L. "The World Bank, The International Finance Corporation and Foreign Investment" in (1959), 19 Federal Bar Journal 308	138
ii)	Silkenat, J.R. "The Role of International Development Institutions in International Project Financing: IBRD, IFC and Co- Financing Techniques" in (1983), 17 International Lawyer 615	142
iii)	<u>Treaties and Alliances of the World</u> , pp. 34-7	147
iv)	Ewing, A.F. "International Capital and Economic Development" in (1985), 19 JWTL 537	150
B) Public Sector Financing from Developed Countries		
i)	Cowan, H.R. "Expert Trade Finance" in (1987), 65 Canadian Bar Review 368	153

C)	Private Sector Financing	
i)	McGivern, T. "International Letters of Credit" in (1983), 37 Arkansas Law Review 217 at 211	166
ii)	Banks, J.L. "The Standby Letter of Credit" in (1984), 45 Montana Law Review 71	169
iii)	Bertram, T.B. "Letters of Credit: Securing the Confirmation" in (1987), 2 Trade Law Topics 4	171
iv)	Seidman, R.B. "Foreign Private Investors and the Host Country" in (1985), 19 JWTL 637	172
D)	Domestic Capital Structures	
i)	Smith, M. "Peruvian program tries to harness underground economy" Globe and Mail	186
ii)	Rossett, C.A. "Peru's Underground Economy"	187
iii)	Coyle, M. "The Role of Small-Scale Enterprise Development"	193
E)	The Debt Crisis	
i)	Gall, N. "The Four Horsemen Ride Again" in <u>Forbes</u> , July 28 1986, p. 95	199
ii)	Meissner, C.F. "Crisis as an Opportunity for Change: A Commentary on the Debt Restructuring Process" in (1985), 17 International Law and Politics 613	202
F)	Countertrade	
i)	"Countertrade Terminology"	211
ii)	Walsh, J.I. "The Effect on Third Countries of Mandated Countertrade" in (1985), 19 JWTL 592	214

IV. Investment

A)	Technology Transfer	
i)	Thompson, D. "The UNCTAD Code on Transfer of Technology" in (1982), 16 JWTL 311	222
ii)	"UNCTAD: Code of Conduct on Transfer of Technology"	231
iii)	Goekjian, S.V. "Legal Problems of Transferring Technology to the Third World" in (1977), 25 American Journal of Comparative Law 565	234
B)	Codes of Conduct	
i)	Grosse, R. "Codes of Conduct for Multinational Enterprises" in (1982), 16 JWTL 414	238

V. Other Issues

A) Dispute Resolution

- i) Mendes, E.P. "Canada: A New Forum to Develop the Cultural Psychology of International Commercial Arbitration" in (1986),
Journal of International Arbitration 71 243

B) Negotiations

- i) Smith, D.N. and L.T. Wells "Changing Relationships in the Concessions Process" in Negotiating Third-World Mineral Agreements, pp. 1-24 250